



NEW ACADEMIES ALERT

What CASE thinks

Any governing body that votes to become an Academy needs to know that it is buying a one-way ticket to the end of its own powers.

It will also be helping to create a new, unaccountable education sector and diminishing the rights of parents and staff. Whatever the supposed benefits of "independence", the new school will find itself reporting to a new national quango, the Young People's Learning Agency, which will certainly know less about their locality and needs than any local authority.

Why fight this?

The [National Audit Office's report](#) said that existing academies failed to help the most disadvantaged children - in spite of massive injections of capital that will not be available for new Academies. Local campaigns have had to fight for the rights of parents and children but not without success. Academies have been made subject to the Freedom of Information Act and the safeguards for looked after children and those with special needs have been boosted. Finally, Academies must now promote community cohesion just like other schools.

What You Can Do

You can help "inoculate" your school against a "coup" by taking the following steps.

1. Locally, make contact with the main groups on your school's governing body, that's the parent governors, staff governors and representatives of the Local Authority. Ask them whether they have taken a view on the school becoming an academy and, if they have, what it is.
2. Ask for any minutes of the governing body held since May 2010 - they are public documents once they have been agreed by the next meeting. You can ask the school or the Council's Governor's Services section.
3. Check the [list of schools that expressed an interest](#) and a copy of the model funding agreement [here](#)

Academies are controlled by a Trust

The Academy "TRUST" has the overall control of the academy including its land and any other assets. In law, the TRUST is a "company limited by guarantee" and so its members are also company directors.

The Department for Education (DfE) expects the Trust itself to comprise three or more members: one who may be appointed by the Secretary of State; the Chair of the Governing Body and any additional members that the former can agree upon.

The Governing Body

Although the TRUST has overall control of the academy, it is expected to delegate day-to-day management of the school to a Governing Body which it appoints. The model Articles of Association the DfE will recommend that the composition of the Governing Body is as follows:

- ❖ 3 or more governors appointed by the Academy Trust
- ❖ 2 or more elected parent governor
- ❖ Optional staff governors appointed by the Trust, (i.e. not elected by staff) who may not comprise more than one third of the total Governing Body
- ❖ Optional LA governors appointed by the Trust
- ❖ Up to three optional co-opted governors appointed by the Governing Body.
- ❖ Additional governors appointed at the discretion of the Secretary of State.
- ❖ Headteachers will be ex-officio governors

What does it mean in reality?

The school's current Governing Body will have no real influence over the way the new Academy is governed.

Once in place, the Trust can change the Articles of Association as it wants and appoint as it likes. It has no requirement for stakeholder representatives and could in theory get rid of most stakeholder representation on the Governing Body.

Who is the Trust accountable to?

As it is a company governed by the Companies Act 2006, it will be required to file its annual report at Companies House, just like any private firm. Which is more or less what it is.